

INITIATIVE 166

I, Ralph Munro, Secretary of State of the State of Washington and custodian of its seal, hereby certify that, according to the records on file in my office, the attached copy of Initiative Measure No. 166 to the Legislature is a true and correct copy as it was received by this office.

1 AN ACT Relating to prohibiting special rights for homosexuals;
2 adding new sections to chapter 49.60 RCW; creating new sections; and
3 declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1. THE EQUAL RIGHTS, NOT SPECIAL RIGHTS ACT.**
6 This act shall be known and cited as the Equal Rights, Not Special
7 Rights Act.

8 NEW SECTION. **Sec. 2.** A new section is added to chapter 49.60 RCW
9 to read as follows:

10 **PROTECTING CITIZEN'S CONSTITUTIONAL AND CIVIL RIGHTS.** Neither the
11 state of Washington, nor its political subdivisions, shall deny any
12 right expressly guaranteed by the Constitution of the state of
13 Washington or the Constitution of these United States of America.

14 Persons who commit acts of violence against the person or property
15 of others should be prosecuted and appropriately punished in order to
16 protect law-abiding citizens and to ensure the guarantee of equal
17 justice for all.

1 NEW SECTION. **Sec. 3.** A new section is added to chapter 49.60 RCW
2 to read as follows:

3 **ENSURING EQUAL PROTECTION OF THE LAW.** The people find that equal
4 protection of the law, not special rights, is a fundamental principle
5 of constitutional government and is essential to the well-being and
6 perpetuation of a free society.

7 The people further find that there is a legitimate and compelling
8 state interest in ensuring equal protection of the law for all citizens
9 and in preventing special rights based on any homosexual, bisexual,
10 transsexual, or transvestite status, preference, orientation, conduct,
11 act, practice, or relationship.

12 The people further find that there is a legitimate and compelling
13 state interest in ensuring that the rights of parents to control the
14 education of their children and that the sincerely held values and
15 beliefs of citizens regarding homosexuality, bisexuality,
16 transsexuality, or transvestism are not denigrated or denied by the
17 public schools and that homosexuality, bisexuality, transsexuality, or
18 transvestism are not presented, promoted, or approved as positive,
19 healthy, or appropriate behavior.

20 The people further find that "the duty of all teachers" as required
21 in RCW 28A.405.030 "to endeavor to impress on the minds of their pupils
22 the principles of morality, truth, justice, temperance, humanity and
23 patriotism" and "to teach them to avoid idleness, profanity and
24 falsehood" is an indispensable prerequisite for providing a sound
25 education, maintaining a virtuous and ethical society, and guaranteeing
26 the rights of all citizens.

27 NEW SECTION. **Sec. 4.** A new section is added to chapter 49.60 RCW
28 to read as follows:

29 **PROHIBITING SPECIAL RIGHTS FOR HOMOSEXUALS.** Neither the state of
30 Washington, nor its political subdivisions, including counties, cities,
31 towns, and school districts, shall by any means or instrumentality,
32 enact or enforce a policy whereby any homosexual, bisexual,
33 transsexual, or transvestite status, preference, orientation, conduct,
34 act, practice, or relationship shall be a basis for a person to
35 maintain any special classification or privilege; minority status;
36 quota preference; affirmative action right; legal standing; public
37 benefit; marital, spousal, parental, familial, or domestic privilege,

1 advantage, entitlement, benefit, position, or status; claim of
2 discrimination; or special right or protection.

3 A school, through any employee, volunteer, guest, or other means or
4 instrumentality, shall not present, promote, or approve homosexuality,
5 bisexuality, transsexuality, or transvestism, or any such conduct, act,
6 practice, or relationship, as a positive, healthy, or appropriate
7 behavior or lifestyle. As used in this section, "school" means any
8 common school of the state of Washington.

9 NEW SECTION. Sec. 5. CONSTRUCTION CLAUSE. The provisions of this
10 act are to be liberally construed to effectuate the policies and
11 purposes of this act. In the event of conflict between this act and
12 any other provision of law, the provisions of this act shall govern.

13 NEW SECTION. Sec. 6. SEVERABILITY CLAUSE. If any provision of
14 this act or its application to any person or circumstance is held
15 invalid, the remainder of the act or the application of the provision
16 to other persons or circumstances is not affected.

17 NEW SECTION. Sec. 7. EMERGENCY CLAUSE. This act is necessary for
18 the immediate preservation of the public peace, health, morals, or
19 safety, or support of the state government and its existing public
20 institutions, and shall take effect immediately.

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